

**Notice of Allowability**

Application No.

09/781,483

Applicant(s)

GORDON ET AL.

Examiner

Art Unit

Tadesse Hailu

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Amendment entered on July 28, 2005.
2. ☒ The allowed claim(s) is/are 1-62,64 and 65.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |                                                                                                                     |                                                                                       |
|---------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)                                                    | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)           |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment                              |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance  |
|                                                                                                                     | 9. <input type="checkbox"/> Other _____                                               |

### **Examiner's Statement of Reasons for Allowance**

1. The Examiner's Statement of Reasons for Allowance is in response to Amendment entered on July 28, 2005 for the application number 09/781,483.
2. Claims 1-62, and 64-65 are allowed.

The following is an examiner's statement of reasons for allowance: The examiner has carefully considered all the pending claims 1-62 and 64-65.

**Killian (US Pat No 6,163,316):**

The reference cited relates in general to the field of television viewing and recording, and more particularly to an electronic programming system and method. With regard to the current invention, Killian discloses a Java-enabled television system that support JAVA applets or applications and provide a wide variety of functionalities related to television programming. The Java-enabled television system also includes an electronic programming guide (EPG) applet 70, wherein the electronic programming guide includes user manipulability API interface.

**Davis et al (US Pat No 5,822,123):**

This cited reference relates to an electronic program schedule system, which provides a user with schedule information for broadcast or cablecast programs viewed by the user on a television receiver. More particularly, it relates to an improved electronic program guide that provides the user with a more powerful and convenient operating environment, while, at the same time, increasing the efficiency of navigation by the user through the guide.

While the cited references are directed to an interactive television program system as in the current invention, but cited references fail to explicitly teach a plurality of logically linked

applets, wherein each of the applets defining a graphical layer, a video layer and a control layer, as recited and/or arranged in the claims. For example claim 1 requires in part, “a provider equipment for storing a plurality of logically linked applets, each of said applets defining a graphical layer, a video layer and a control layer, said control layer of each respective applet logically linking a graphical layer object to another applet”. Also claim 4 recites similar language as claim 1. Claims 7, 40, 45 and 62 require in part “a control layer for controlling generation of the video and graphics layers, and video, graphics, and control layers being defined by an applet originating at said transmission source,”. Claims 51 and 58 require in part “receiving a video stream comprising a control layer and a video layer defined by an applet originating from a transmission source”; claims 51 and 58 further require “associating a selected overly object of said graphics layer to another applet at said transmission source.”

The cited references, either individually or in combination, are deficient for the purpose of anticipating and/or rendering obvious independent claims 1, 4, 7, 40, 45, 51, 58 and 62. Accordingly, all pending claims are allowed.

### CONCLUSION

3. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Tadesse Hailu, whose telephone number is (571) 272-4051. The Examiner can normally be reached on M-F from 10:30 – 7:00 ET. If attempts to reach the Examiner by telephone are unsuccessful, the Examiner’s supervisor, John Cabeca, can be reached at (571) 272-4048 Art Unit 2173.
4. An inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

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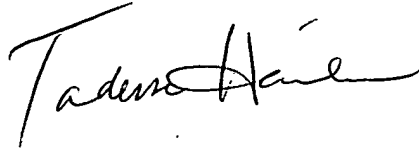
Art Unit: 2173

Patent Examiner

Tadesse Hailu

Art Unit 2173

10/4/05

A handwritten signature in black ink, appearing to read "Tadesse Hailu". The signature is written in a cursive style with a large initial "T" and a long horizontal stroke extending to the right.